

1-1 By: Miller of Comal (Senate Sponsor - Watson) H.B. No. 2135
 1-2 (In the Senate - Received from the House April 20, 2015;
 1-3 May 4, 2015, read first time and referred to Committee on Criminal
 1-4 Justice; May 21, 2015, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
 1-6 May 21, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 2135 By: Whitmire

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the purchasing of a firearm of an honorably retired or
 1-20 deceased peace officer.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Subchapter D, Chapter 614,
 1-23 Government Code, is amended to read as follows:

1-24 SUBCHAPTER D. PURCHASE OF [~~AGENCY-ISSUED~~] FIREARM OF HONORABLY
 1-25 RETIRED OR DECEASED PEACE OFFICER

1-26 SECTION 2. Subchapter D, Chapter 614, Government Code, is
 1-27 amended by adding Section 614.0505 to read as follows:

1-28 Sec. 614.0505. DEFINITION. In this subchapter,
 1-29 "governmental entity" means a state agency, a county, a
 1-30 municipality, or a joint board for which the constituent agencies
 1-31 are populous home-rule municipalities.

1-32 SECTION 3. Section 614.051, Government Code, is amended to
 1-33 read as follows:

1-34 Sec. 614.051. PURCHASE OF FIREARM BY HONORABLY RETIRED
 1-35 PEACE OFFICER. (a) An individual may purchase a firearm from a
 1-36 governmental entity [~~state agency~~] if:

1-37 (1) the individual was a peace officer commissioned by
 1-38 the entity [~~agency~~];

1-39 (2) the individual was honorably retired from the
 1-40 individual's commission by the entity [~~state~~];

1-41 (3) the firearm had been previously issued to the
 1-42 individual by the entity [~~agency~~]; and

1-43 (4) the firearm is not a prohibited weapon under
 1-44 Section 46.05, Penal Code.

1-45 (b) An individual may purchase only one firearm from a
 1-46 governmental entity [~~state agency~~] under this section.

1-47 SECTION 4. Section 614.052(a), Government Code, is amended
 1-48 to read as follows:

1-49 (a) An individual listed under Subsection (b) may purchase a
 1-50 firearm from a governmental entity [~~state agency~~] if:

1-51 (1) the firearm had been previously issued by the
 1-52 entity [~~agency~~] to a peace officer commissioned by the entity
 1-53 [~~agency~~] who died while commissioned, without regard to whether the
 1-54 officer died while discharging the officer's official duties; and

1-55 (2) the firearm is not a prohibited weapon under
 1-56 Section 46.05, Penal Code.

1-57 SECTION 5. Section 614.053, Government Code, is amended to
 1-58 read as follows:

1-59 Sec. 614.053. PURCHASE PRICE OF FIREARM. A governmental
 1-60 entity [~~state agency~~] shall establish the amount, which may not

2-1 exceed fair market value, for which a firearm may be purchased under
2-2 this subchapter.

2-3 SECTION 6. The heading to Section 614.054, Government Code,
2-4 is amended to read as follows:

2-5 Sec. 614.054. WHEN FIREARM MAY BE PURCHASED [~~FROM STATE~~
2-6 ~~AGENCY~~]; DELAY OF SALE BY GOVERNMENTAL ENTITY [AGENCY].

2-7 SECTION 7. Section 614.054(b), Government Code, is amended
2-8 to read as follows:

2-9 (b) A governmental entity [~~state agency~~] that cannot
2-10 immediately replace the firearm may delay the sale of the firearm
2-11 until the entity [~~agency~~] can replace the firearm.

2-12 SECTION 8. Section 170.002, Local Government Code, is
2-13 repealed.

2-14 SECTION 9. This Act takes effect September 1, 2015.

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